



# TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law & Policy

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## Of Cow Food and Hobbs

The Western United States is known for a plenitude of natural features, including breathtaking sunsets, picturesque National Parks, and [mountain ranges](#) as far as the eye can see. But one natural resource yet to be found is an abundance of is water. While it is true that in 2023 the South and Midwest have been subject to an exceptional drought, the West, specifically the Southwest, has endured this phenomenon for many years, some even calling it a "[Megadrought](#)".

Amid Western states that've been affected by these droughts, turn your attention to the Butler Valley Basin in [Arizona](#), where the Saudi-owned company, [Fondomonte Arizona](#) operates. The company has [four leases with the state of Arizona](#) covering 640 acres of state-owned land (below market price, at that) which it uses for growing alfalfa. You might be wondering, "but what does this have to do with water?" [Alfalfa is one of the most water-intensive crops out there](#). In fact, it needs so much water that it's illegal to grow in Saudi Arabia. So they farm the crop overseas and then [ship it back to the Middle East](#) to feed the cattle that produce [the most delish dairy](#) to be found from [Sea](#) to [Gulf](#).

Well, not anymore (at least in one valley). This week, after 8 years of leasing the land to the company, Katie Hobbs, governor of Arizona has [moved to end the contractual agreements](#); one lease was terminated and the other three will not be renewed when they expire in February, following an investigation performed by the [State Land Department](#). The controversy concerns the transparency of the amounts of water used by Fondomonte Arizona and the reckless consumption of it. Although according to a [memo](#) between Arizonian officials, the lease did not have a condition for metering and reporting agricultural water use in Butler Valley, the Governor Hobbs, argues this action was taken to "[protect Arizona's water future](#)." This isn't the end though—as expected, Fondomonte will [appeal the decision](#) through an administrative review process. Meanwhile, Arizona will continue to investigate other leaseholders in Butler Valley for the same or similar reasons.

## Saltwater Intrusion, [You Probably Think This Story's About You](#)

That's expected given that no one expected Louisiana to be experiencing extreme droughts while the Northeast has been dealing with tropical storms. After the remnants of [Ophelia](#) caused the declaration of states of emergency in [New York](#) and [New Jersey](#) last week, let's take a closer look at what happened during those days. Last week, as the rain levels broke records in the [Empire State](#), flash floods engulfed the city.

Most probably assume that the amount of rain is the reason for the flooding, which to be fair - in part it is, but the reason why it escalated to the point where a state of emergency was declared, is the sewer system. The non-stop precipitation [overwhelmed the New York City's sewage system](#), an old system which makes up 60% percent of New York City's stormwater drainage system. According to a [FEMA report published in June of 2023](#), most urban stormwater drainage systems were not built to handle the expected amount of stormwater runoff, and many systems are decades old and not necessarily well maintained. As stated by Rohit Aggarwala, commissioner of the

New York City Department of Environmental Protection, to the [New York Times](#), “This changing weather pattern is the result of climate change, and the sad reality is our climate is changing faster than our infrastructure can respond”. This event does not call, but screams, for an improved stormwater drainage system. If the streets flooding wasn’t enough, the [subway service was disrupted](#), [New York’s LaGuardia Airport’s](#) terminals were closed and thousands of flights were cancelled or delayed, and, not for the first time in recent years, [basement apartments filled with water](#). Luckily, there were no deaths reported in New York City. During these times of uncertainty one thing is for sure, the climate will continue to change, and the weather will become more extreme; but if adapting is our new reality, it may be time to start investing in a [floating house](#).

Ok, we weren’t completely truthful when we said this story wasn’t about salt. Since we’re on the topic of states of emergency, in [Louisiana](#), the Army Corps of Engineers has released a new [saltwater intrusion update](#). The Corps now estimates that the saltwater will likely not reach New Orleans before November 23, instead of October 22<sup>nd</sup>. Good news for all, and just in time for [homecoming and family weekend at Tulane](#)! (Turns out we still have some pull with the waterbodies around here.)

## There are Good Ships and Wood Ships, Ships that Sail the Sea

But the best ships are ones powered by clean energy. Over the years, we have urged that the [use and exploitation of fossil fuels](#) is creating serious harm to the environment, and the primary actor is [the transportation industry](#). For instance, in 2018 [the shipping industry was responsible for 2.89%](#) of global carbon dioxide emissions. In early July, shipping companies, along with the International Maritime Organization, made a transformative [pledge to reach net zero](#) emissions by or around 2050.

Along those lines, if you, like [Commodore Elvis](#), are sailing the seas, you might come across the newly renovated [Pyxis Ocean](#), a cargo ship that uses wind-power to move the ship, instead of completely relying on the engines. Using the wind to power ships, how didn’t anyone think of this [before](#)? But in all seriousness, this design opens the other to a [new outlook from shipping companies](#), and hope for the enthusiastic goal set by the IMO. Even closer to home, in Louisiana, a company is building a [260-foot long ship](#) as the first offshore [wind service operations vessel](#). Who knows? Maybe in the future we won’t even need to sail [the ships though the ocean \(but why would there be barnacles in the sky?\)](#).

## Wish You Were Just Like Us?

[People are talkin’!](#) The [rumors](#) are true! We’re looking for a [senior research fellow to join the Tulane Water Law team](#) starting in August 2024. If you’re interested in any combination of water, governance, law or policy, this is the job for you! Because it’s intended as a postgraduate career [launcher](#) position, it is only open to recent law school grads. Or, given the linear way we perceive time, also eligible are people who are not yet law school grads but who will have become law school grads when the job begins next August. Anyways, if you earned a JD or LLM in the past year or will by spring of 2024, you’re eligible. You could be a future author of these very TUWaterWays! If you’re not one of those people, tough luck, but help us spread the word to those who are!

### Coming Up:

Tulane Environmental Law Summit, New Orleans,  
February 23 & 24, 2024 (save the date!)

### Water jobs:

[Senior Research Fellow](#); Tulane Institute on Water Resources Law and Policy; New Orleans, LA

[Senior Associate, Ocean Governance](#); Pew Charitable Trusts;  
Washington, DC

[Outreach Coordinator](#); The Coalition to Restore Coastal Louisiana; New Orleans, LA

[Development Coordinator](#); The Coalition to Restore Coastal Louisiana;  
New Orleans, LA

[Staff Attorney](#); Western Watershed Project, Multiple Western States

[Nonprofit Administrator](#); Utah Diné Bikéyah, UT



The [Tulane Institute on Water Resources Law and Policy](#) is a program of the Tulane University Law School. The Institute is dedicated to fostering a greater appreciation and understanding of the vital role that water plays in our society and of the importance of the legal and policy framework that shapes the uses and legal stewardship of water.

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